

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:01-CR-272-1H
No. 5:16-CV-455-H

TOMAS MATEO

Petitioner,

v.

UNITED STATES OF AMERICA,

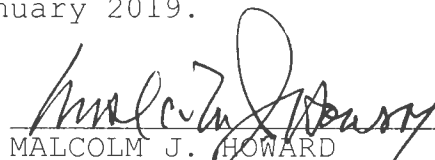
Respondent.

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ORDER

This matter is before the court on petitioner's Notice of Withdrawal of Motion to Vacate, [DE #60]. Due to the unique procedural posture of this case and out of an abundance of caution, the court construes petitioner's filing as a motion to voluntarily dismiss his claims without prejudice pursuant to Rule 41(a)(2). There being no objection, the court GRANTS petitioner's motion, [DE #60], and hereby DISMISSES WITHOUT PREJUDICE petitioner's claims against respondent. The clerk is directed to close this case.

This 7th day of January 2019.



MALCOLM J. HOWARD
Senior United States District Judge